

AMENDED IN SENATE APRIL 7, 2010  
AMENDED IN SENATE JANUARY 4, 2010  
AMENDED IN SENATE AUGUST 17, 2009  
AMENDED IN SENATE JULY 14, 2009  
AMENDED IN ASSEMBLY MAY 14, 2009  
AMENDED IN ASSEMBLY MAY 6, 2009  
AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 7**

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**Introduced by Assembly Member Huffman**

December 1, 2008

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An act to ~~amend Sections 84506 and 84508 of the Government~~ *add and repeal Section 35179.4 of the Education Code*, relating to ~~the Political Reform Act of 1974~~ *interscholastic athletics*.

### LEGISLATIVE COUNSEL'S DIGEST

AB 7, as amended, Huffman. ~~Political Reform Act of 1974. Interscholastic athletics: High School Baseball Safety Act of 2010.~~

*Existing law gives the governing board of a school district general control of, and responsibility for, all aspects of interscholastic athletic policies, programs, and activities in its district, and requires the governing board to ensure that all interscholastic policies, programs, and activities in its district are in compliance with state and federal law.*

*Existing law prohibits participants in high school interscholastic football from wearing football helmets that are not certified for use by the National Operating Committee on Standards for Athletic Equipment or another recognized certifying agency in the field.*

*This bill would enact the High School Baseball Safety Act of 2010. The bill would express findings and declarations of the Legislature regarding the safety implications of the use of nonwooden bats in high school baseball. The bill, until July 1, 2014, would prohibit the use of a nonwood baseball bat at a private or public high school competitive baseball game or practice or during a physical education class or activity conducted at a private or public high school.*

~~(1) The Political Reform Act of 1974 requires a broadcast or mass mailing advertisement supporting or opposing a candidate or ballot measure, if paid for by an independent expenditure, to include a disclosure statement that identifies the name of the committee making the independent expenditure and the names of the persons from whom the committee making the independent expenditure has received its 2 highest cumulative contributions of \$50,000 or more during the 12-month period prior to the expenditure. However, if the committee is able to show that contributions from those 2 highest cumulative contributions were spent for other purposes, then the act requires the committee to disclose the names of the contributors making the next largest cumulative contributions of \$50,000 or more. A violation of the act is subject to criminal penalties.~~

~~The bill would require, with specified exceptions, a broadcast or mass mailing advertisement supporting or opposing a candidate or ballot measure that is paid for by an independent expenditure to include a statement or phrase that clearly identifies the economic or other special interest of the major donors of \$50,000 or more, listing the economic or other special interest in descending order based on the amount of contributions made by the respective donor to the committee, except for a general interest committee. The bill would also require a committee that files electronically with the Secretary of State to list the Secretary of State's Internet Web site in its disclosure statement. A committee not required to file electronically would be required to disclose the Uniform Resource Locator for its Internet Web site and to list the committee's principal officer and specified information regarding each donor to the committee who contributed at least \$100.~~

~~(2) Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.~~

~~The bill would impose a state-mandated local program by placing these penalties on persons who violate the bill.~~

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~(4) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.~~

~~This bill would declare that it furthers the purposes of the act.~~

~~Vote:  $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes-no. State-mandated local program: yes-no.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. *This act shall be known, and may be cited, as*  
2     *“the High School Baseball Safety Act of 2010.*

3     SEC. 2. *The Legislature finds and declares all of the following:*

4     (a) *On March 11, 2010, 16-year-old Gunnar Sandberg, a pitcher*  
5     *for Marin Catholic High School in Marin County, was struck in*  
6     *the head by a line-drive hit from a metal bat, and suffered severe*  
7     *head injuries that required emergency brain surgery.*

8     (b) *The recent tragedy involving Gunnar Sandberg is not an*  
9     *isolated incident. In recent years, there have been numerous*  
10    *incidents of serious injury and even death involving baseball*  
11    *pitchers who were struck in the head by balls hit with metal bats.*

12    (c) *Historically, and continuing to the present day at the*  
13    *professional level, baseball has been played with wooden bats.*  
14    *Beginning in approximately the 1970s, aluminum bats began to*  
15    *appear as a popular alternative to wood bats, and in recent years*  
16    *nonwooden bats have become commonplace at these levels of*  
17    *competition. Advances in baseball bat design, including the*  
18    *materials and technology used, have resulted in bats that far*  
19    *outperform traditional wood bats.*

20    (d) *There is substantial evidence that baseballs struck with these*  
21    *advanced nonwooden bats travel at faster velocities, leaving*  
22    *pitchers less time to respond to balls that are hit at them and*  
23    *increasing the likelihood of serious injury. In 2009, the NCAA*

1 *enacted a moratorium on the use of composite barreled bats until*  
2 *2011. According to the National Collegiate Athletic Association*  
3 *(NCAA), this moratorium is necessary to protect the integrity of*  
4 *the game and to enhance the safety of the studentathletes.*

5 *(e) In California and throughout the country, there are growing*  
6 *concerns that these advanced nonwooden bats present an*  
7 *unacceptable safety risk to pitchers. These concerns are especially*  
8 *acute at the high school level. Many members of the baseball*  
9 *community, as well as independent experts, have called for a ban*  
10 *on nonwooden bats. Some also suggest that protective headgear*  
11 *for pitchers should be required.*

12 *(f) In response to the Sandberg tragedy, the Marin County*  
13 *Athletic League voted on March 25, 2010, to suspend the use of*  
14 *nonwooden bats for the rest of the 2010 baseball season, and*  
15 *called on other high school athletic officials to do the same.*

16 *(g) A statewide moratorium on the use of nonwooden bats in*  
17 *high school baseball for three years is an appropriate*  
18 *precautionary measure. The sport of baseball will not be harmed*  
19 *or compromised by the use of traditional wood bats during this*  
20 *period. It is the intent of the Legislature that, during this three-year*  
21 *moratorium, sports officials and members of the baseball*  
22 *community should actively consider and evaluate strategies to*  
23 *ensure player safety, including, but not limited to, the materials*  
24 *and performance standards for baseball bats and the possibility*  
25 *of protective headgear.*

26 *(h) The Legislature notes that nonwooden bats are prohibited*  
27 *at the major and minor league levels, and baseball is a game of*  
28 *traditions, which suggests that consideration should be given to*  
29 *whether the use of nonwooden bats is consistent with the traditions*  
30 *and highest standards of the game.*

31 *SEC. 3. Section 35179.4 is added to the Education Code, to*  
32 *read:*

33 *35179.4. (a) A nonwood baseball bat shall not be used at a*  
34 *private or public high school competitive baseball game or practice*  
35 *or during a physical education class or activity conducted at a*  
36 *private or public high school.*

37 *(b) This section shall become inoperative on July 1, 2014, and,*  
38 *as of January 1, 2015, is repealed, unless a later enacted statute,*  
39 *that becomes operative on or before January 1, 2015, deletes or*  
40 *extends the dates on which it becomes inoperative and is repealed.*

1     ~~SECTION 1. Section 84506 of the Government Code is~~  
2     ~~amended to read:~~

3     ~~84506. (a) A broadcast or mass mailing advertisement,~~  
4     ~~including a radio advertisement, supporting or opposing a candidate~~  
5     ~~or ballot measure, that is paid for by an independent expenditure,~~  
6     ~~shall include a disclosure statement that contains all of the~~  
7     ~~following:~~

8     ~~(1) The name of the committee making the independent~~  
9     ~~expenditure.~~

10    ~~(2) The names of the persons from whom the committee making~~  
11    ~~the independent expenditure has received its two highest~~  
12    ~~cumulative contributions of fifty thousand dollars (\$50,000) or~~  
13    ~~more during the 12-month period prior to the expenditure. If the~~  
14    ~~committee can show, on the basis that contributions are spent in~~  
15    ~~the order they are received, that contributions received from the~~  
16    ~~two donors who made the highest cumulative contributions of fifty~~  
17    ~~thousand dollars (\$50,000) or more to the committee have been~~  
18    ~~used for expenditures unrelated to the candidate or ballot measure~~  
19    ~~featured in the communication, the committee shall disclose the~~  
20    ~~contributors making the next largest cumulative contributions of~~  
21    ~~fifty thousand dollars (\$50,000) or more.~~

22    ~~(3) A statement or phrase that clearly identifies the economic~~  
23    ~~or other special interest of the major donors of fifty thousand~~  
24    ~~dollars (\$50,000) or more. If any of those donors is a committee~~  
25    ~~other than a candidate-controlled committee, the donor shall be~~  
26    ~~identified by the economic or other special interest who made the~~  
27    ~~highest cumulative contributions of fifty thousand dollars (\$50,000)~~  
28    ~~or more to that committee. The statement or phrase shall list each~~  
29    ~~economic or other special interest in descending order based on~~  
30    ~~the amount of the contributions made by the respective donor to~~  
31    ~~the committee. The requirements of this paragraph do not apply~~  
32    ~~to a general purpose committee.~~

33    ~~(4) The Uniform Resource Locator for an Internet Web site that~~  
34    ~~lists the committee's principal officer and information about each~~  
35    ~~donor to the committee who has contributed a cumulative amount~~  
36    ~~of one hundred dollars (\$100) or more. For a committee filing~~  
37    ~~electronically with the Secretary of State, the disclosure statement~~  
38    ~~shall list "www.sos.ca.gov" as the Uniform Resource Locator. For~~  
39    ~~a committee that is not required to file electronically with the~~  
40    ~~Secretary of State, the statement shall include a Uniform Resource~~

1 Locator for an Internet Web site address that lists the committee's  
2 principal officer and the following information about each donor  
3 who has contributed a cumulative amount of one hundred dollars  
4 (\$100) or more to the committee making the independent  
5 expenditure: name of the donor, payment type, city and state,  
6 contribution amount, transaction date, and filing date. The Internet  
7 Web site shall be updated to reflect filing updates. If the local  
8 agency with which the committee files does not maintain an  
9 Internet Web site with the donor information, the committee shall  
10 create one. The requirements of this paragraph do not apply to  
11 radio advertisements.

12 (b) If an acronym is used to identify any committee names  
13 required by this section, the names of any sponsoring organization  
14 of the committee shall be printed on print advertisements or spoken  
15 in broadcast advertisements.

16 SEC. 2. Section 84508 of the Government Code is amended  
17 to read:

18 84508. If disclosure of two major donors is required by Sections  
19 84503 and 84506, the committee shall be required to disclose, in  
20 addition to the committee name, only its highest major contributor  
21 in any advertisement that is any of the following:

22 (a) An electronic broadcast of 15 seconds or less.

23 (b) A radio broadcast of 30 seconds or less.

24 (c) A newspaper, magazine, or other public print media  
25 advertisement that is 20 square inches or less.

26 SEC. 3. No reimbursement is required by this act pursuant to  
27 Section 6 of Article XIII B of the California Constitution because  
28 the only costs that may be incurred by a local agency or school  
29 district will be incurred because this act creates a new crime or  
30 infraction, eliminates a crime or infraction, or changes the penalty  
31 for a crime or infraction, within the meaning of Section 17556 of  
32 the Government Code, or changes the definition of a crime within  
33 the meaning of Section 6 of Article XIII B of the California  
34 Constitution.

35 SEC. 4. The Legislature finds and declares that this bill furthers  
36 the purposes of the Political Reform Act of 1974 within the  
37 meaning of subdivision (a) of Section 81012 of the Government  
38 Code.

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